

REMARKS

Claims 2-8, 23-29, 35, and 37-41 are pending in this application. Claims 2, 4, 5, 8, and 23 have been amended in this response. Claims 1 and 36 have been canceled. No new matter has been added. Favorable reconsideration and further examination are respectfully requested in view of the foregoing amendments and following remarks which are preceded by related comments by the Examiner in small bold font.

Allowable Subject Matter

Applicants acknowledge the Examiner's allowing claims 3-8 and indicating claim 36 as allowable. Applicants note that claims 4-8 were originally dependent on claim 1 which has been rejected by the Examiner. In this amendment, Applicants have amended claims 4, 5 and 8 to make them dependent from the allowed independent claim 3. Claims 6 and 7 now also depend from allowed claim 3 through their dependence on claim 5.

Further, Applicants have canceled claim 36 and incorporated the corresponding claim features into independent claim 23. Claim 23 is therefore understood to be allowable. Claims 24-29, 35 and 37-41 directly or indirectly depend on claim 23 and hence are also allowable therewith.

35 U.S.C. § 103

Claims 1 and 23 are rejected under 35 U.S.c. 103(a) as being unpatentable over Hildebran et al. (PG/Pub 20040103202) in view over Wood et al. (USPN 6944761) and in further view over MacInnis (PG/Pub 20030028899)

Claim 1 has been canceled and therefore the rejection with respect to claim 1 is considered moot. Claim 23 has been amended to include features from previously pending claim 36, which has been identified by the Examiner as allowable. Claim 23 is therefore understood to be patentable over the art of record for at least the foregoing reason.

Claims 2, 24, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hildebran et al. (PG/Pub 20040103202) in view over Wood et al. (USPN 6944761) in view over MacInnis (PG/Pub 20030028899) in view over Heath et al. (USPN 6006034) and in further view over Kano et al. (USPN 20030135650)

...
Claims 5, 26, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hildebran et al. (PGIPub 20040103202) in view over Wood et al. (USPN 6944761) in view over MacInnis (PG/Pub 20030028899) further view over view over Hu (USPN 5586260)

...
As per claims 6 and 39 Hildebran et al. teaches the method of claim 5, wherein the input obtained by the client comprises text input ([Col 12 lines 1-10 e.g., login/password]).

As per claims 7 and 40, Hildebran et al. teaches the method of claim 5 wherein the input obtained by the client comprises biometric data (Col 12 lines 1-10] e.g. biometric scheme).

As per claims 8, 27, 38, and 41, Hildebran et al., as modified., teaches receiving input from a client using the software (e.g., login/biometric software). It does not teach receiving an authentication receipt from a third party authentication server based on input obtained by the client using the software. Hu teaches...

...
Claim 25 is rejected under 35 U.S.c. 103(a) as being unpatentable over Hildebran et al. (PG/Pub 20040103202) in view over Wood et al. (USPN 6944761) in view over MacInnis (PG/Pub 20030028899) and in further view over Boozer et al. (USPN 7370344)

...
As per claim 28, Hildebran et al., as modified, teaches...

...
Claim 29 is rejected under 35 U.S.c. 103(a) as being unpatentable over Hildebran et al. (PG/Pub 20040103202) in view over Wood et al. (USPN 6944761) in view over MacInnis (PG/Pub 20030028899) and in further view over Tenerello (USPN 7233981)

The above rejections are all with respect to dependent claims that Applicant contends are patentable at least for the reasons discussed above with respect to their corresponding independent claims. Although it is believed that the dependent claims define patentably distinct features, given the distinctiveness of the respective independent claims, the dependent claims are not discussed here in detail.

Based on the foregoing amendments and remarks, all of the pending claims are believed to be in condition for allowance and a formal Notice of Allowance is respectfully requested. In case of any issues, the Examiner is requested to contact the Applicants' attorney at the number listed below.

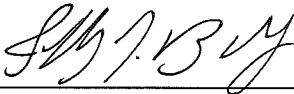
Applicant : Jonathan D. Herbach, et al.
Serial No. : 10/699,165
Filed : October 31, 2003
Page : 9 of 9

Attorney's Docket No.: 07844-0623001 / P568

No fee is believed to be due. Please apply any charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 07844-0623001.

Respectfully submitted,

Date: 28 July 2011



Jeffrey J. Barclay
Reg. No. 48,950

Customer Number 21876
Fish & Richardson P.C.
Telephone: (617) 542-5070
Facsimile: (877) 769-7945